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October 18,

Via ECF

Hon. Philip M. Halpern
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

In light of the parties' agreement, the discovery conference scheduled in this case for 10/23/2023 at 3:30 p.m. is CANCELED. The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 36

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
October 18, 2023

Re: Reese v. Williamson, et al.
7:22-cv-10494-PMH

Dear Judge Halpern:

The undersigned represents Plaintiff Claude Reese (hereinafter "Plaintiff") in the above-referenced matter and writes in response to the Court's order, dated October 17, 2023 (ECF No. 37), scheduling a discovery conference for October 23, 2023 and directing Plaintiff to file a response to Defendants' October 13, 2023 letter (ECF No. 36) requesting 1) a brief extension of the discovery deadline to October 27, 2023 for the limited purpose of conducting Plaintiff's deposition; and 2) an order pursuant to FRCP 37 compelling Plaintiff to attend his deposition by a date certain on or before October 27, 2023.

The parties have agreed that Plaintiff is to be deposed virtually on Friday, October 20, 2023.¹ Subject to the completion of that deposition, the parties agree that Defendants' letter request (ECF No. 36) is moot and that there is no longer a need for the October 23, 2023 discovery conference. *See* ECF No. 37.

We thank the Court for its time and consideration of this matter.

¹ Plaintiff has filed this response prior to Plaintiff's deposition having been completed in order to comply with the Court's October 19, 2023 deadline to respond to Defendants' letter, *see* ECF No. 37, and will write to the Court to confirm that the deposition has taken place after it concludes.

Very truly yours,
SIVIN, MILLER & ROCHE LLP

s/ Edward Sivin
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